

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of Florida
Competitive Carriers Association
against BellSouth
Telecommunications, Inc.
regarding BellSouth's practice
of refusing to provide
FastAccess Internet Service to
customers who receive voice
service from a competitive voice
provider, and request for
expedited relief.

DOCKET NO. 020507-TL

DECEMBER 23, 2002

STAFF'S PREHEARING STATEMENT

Pursuant to Order No. PSC-02-1537-PCO-TL, issued November 12, 2002, and Order No. PSC-02-1618-PCO-TL, issued November 22, 2002, the Staff of the Florida Public Service Commission files its Prehearing Statement.

a. All Known Witnesses

None.

b. All Known Exhibits

None.

c. Staff's Statement of Basic Position

Staff's positions are preliminary and based on materials filed by the parties and on discovery. The preliminary positions are offered to assist the parties in preparing for the hearing. Staff's final positions will be based upon all the evidence in the record and may differ from the preliminary positions stated herein.

d. Staff's Position on the Issues

ISSUE 1: Does the Commission have jurisdiction to grant the relief requested in the Complaint?

POSITION: Staff believes that the Commission has jurisdiction to hear this matter pursuant to Section

DOCUMENT NUMBER-DATE
13968 DEC 23 2002
FPSC-COMMISSION CLERK

364.01(4)(g), Florida Statutes. On the issue of whether the Commission has jurisdiction to grant the relief requested in the Complaint, however, staff has no position at this time pending further development of the facts.

ISSUE 2: What are BellSouth's practices regarding the provisioning of its FastAccess Internet service to:

- a. a FastAccess customer who migrates from BellSouth to a competitive voice service provider; and
- b. to all other ALEC customers.

POSITION: Staff has no position at this time.

ISSUE 3: Do any of the practices identified in Issue 2 violate state or federal law?

POSITION: Staff has no position at this time.

ISSUE 4: Should the Commission order that BellSouth may not disconnect the FastAccess Internet service of an end user who migrates his voice service to an alternative voice provider?

POSITION: Staff has no position at this time.

ISSUE 5: Should the Commission order BellSouth to provide its FastAccess Internet service, where feasible, to any ALEC end user that requests it?

POSITION: Staff has no position at this time.

ISSUE 6(a): If the Commission orders that BellSouth may not disconnect its FastAccess Internet service, where a customer migrates his voice service to an ALEC and wishes to retain his BellSouth FastAccess service, what changes to the rates, terms, and condition of his service, if any, may BellSouth make?

POSITION: Staff has no position at this time.

ISSUE 6(b): If the Commission orders BellSouth to provide its FastAccess service to any ALEC end user that requests it, where feasible, then what rates, terms and conditions should apply?

POSITION: Staff has no position at this time.

e. Pending Motions

BellSouth's Emergency Motion to Compel Against The Florida Competitive Carriers Association filed December 18, 2002.

f. Pending Confidentiality Claims or Requests

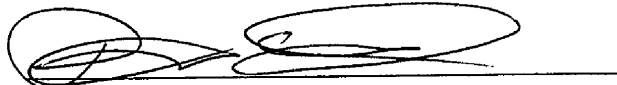
1. BellSouth Telecommunications, Inc.'s (BellSouth) Request for Specified Confidential Classification of DN 13752-02 filed December 17, 2002.
2. BellSouth's Request for Specified Confidential Classification of DN 13755-02 filed December 17, 2002.

g. Compliance with Order No. PSC-02-1537-PCO-TL and Order No. PSC-02-1618-PCO-TL

Staff has complied with all requirements of the Order Establishing Procedure entered in this docket.

STAFF'S PREHEARING STATEMENT
DOCKET NO. 020507-TL
PAGE 4

Respectfully submitted this 23rd day of December, 2002.



PATRICIA A. CHRISTENSEN
Staff Counsel

FLORIDA PUBLIC SERVICE COMMISSION
2540 Shumard Oak Boulevard
Gerald L. Gunter Building - Room 370
Tallahassee, Florida 32399-0863
(850)413-6199

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of Florida
Competitive Carriers Association
against BellSouth
Telecommunications, Inc.
regarding BellSouth's practice
of refusing to provide
FastAccess Internet Service to
customers who receive voice
service from a competitive voice
provider, and request for
expedited relief.

DOCKET NO. 020507-TL

DECEMBER 23, 2002

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that one true and correct copy of Staff's
Prehearing Statement has been furnished by U.S. Mail this 23rd day
of December, 2002, to the following:

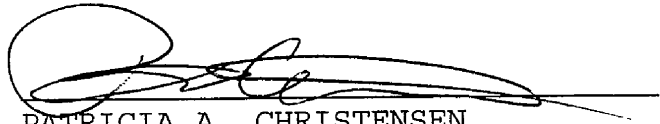
Jim Meza and Meredith Mays c/o
Nancy Sims
BellSouth Telecommunications
150 S. Monroe St., Suite 400
Tallahassee, FL 32301

Nanette Edwards
ITC^DeltaCom
4092 S. Memorial Parkway
Huntsville, AL 3580

CERTIFICATE OF SERVICE
DOCKET NO. 020507-TP

Floyd R. Self
Messer Law Firm
P.O. Box 1876
Tallahassee, FL 32302

Ms. Vicki Gordon Kaufman
McWhirter Reeves Law Firm
117 S. Gadsden Street
Tallahassee, FL 32301



PATRICIA A. CHRISTENSEN
Staff Counsel

FLORIDA PUBLIC SERVICE COMMISSION
Gerald L. Gunter Building
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
(850) 413-6199